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**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA and)	
KAREN STERLING, Revenue Officer,)	
)	Case No. 08-0682-CRB
)	
Petitioner,)	APPLICATION TO CONTINUE
)	HEARING ON ORDER TO SHOW
v.)	CAUSE AND CASE MANAGEMENT
)	<u>CONFERENCE and [proposed] ORDER</u>
ANNALISA J. SILVA and DANIEL SILVA,)	
)	Date: May 23, 2008
)	Time: 10:00 a.m.
Respondents.)	Place: Courtroom 3, 17th Floor

The United States of America respectfully requests that the Court continue both the hearing on the Order to Show Cause, currently scheduled for April 18, 2008 at 10:00 a.m., and the Case Management Conference, currently scheduled for May 9, 2008 at 8:30 a.m., to May 23, 2008 at 10:00 a.m. The grounds for this request are:

1. The United States commenced this action seeking to enforce summonses issued by the Internal Revenue Service. The Court entered an Order to Show Cause scheduling a hearing Re: Enforcement of the Summonses. The Order to Show Cause contained a typographical error scheduling the hearing on the 9th Floor rather than the 19th Floor.

2. Counsel for the United States and Respondent Annalisa Silva have conferred in an attempt to resolve this matter.

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3. To enable the parties sufficient time to resolve this matter, the United States respectfully requests that this Court continue the hearing on the Order to Show Cause, currently scheduled for April 18, 2008 at 10:00 a.m., and the Case Management Conference, currently scheduled for May 9, 2008 at 8:30 a.m., to May 23, 2008 at 10:00 a.m.

4. Respondent Annalisa Silva has no objection to this request for a continuance.

Accordingly, the United States respectfully requests that the Court continue the hearing on the Order to Show Cause, currently scheduled for April 18, 2008 at 10:00 a.m., and the Case Management Conference, currently scheduled for May 9, 2008 at 8:30 a.m., to May 23, 2008 at 10:00 a.m.

Respectfully submitted,

JOSEPH P. RUSSONIELLO
United States Attorney

Date: April 9, 2008

/s/ Cynthia Stier
CYNTHIA STIER
Assistant United States Attorney
Tax Division

ORDER

Pursuant to the Application by the United States of America as set forth above, and for good cause shown,

IT IS HEREBY ORDERED that the hearing date on the Order to Show Cause, currently scheduled for April 18, 2008 at 10:00 a.m., and the Case Management Conference, currently scheduled for May 9, 2008 at 8:30 a.m., is rescheduled to May 23, 2008 at 10:00 a.m.

Dated: _____

CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I, **KATHY TAT** declare:

That I am a citizen of the United States of America and employed in San Francisco County, California; that my business address is Office of United States Attorney, 450 Golden Gate Avenue, Box 36055, San Francisco, California 94102; that I am over the age of eighteen years, and am not a party to the above-entitled action.

I am employed by the United States Attorney for the Northern District of California and discretion to be competent to serve papers. The undersigned further certifies that I caused a copy of the following:

APPLICATION TO CONTINUE HEARING ON ORDER TO SHOW CAUSE AND CASE MANAGEMENT CONFERENCE and [proposed] ORDER

to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed envelope, and served as follows:

 X **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

 PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED)

 FACSIMILE (FAX) No.: _____

to the parties addressed as follows:

Annalisa J. Silva
6480 Ione Way
Dublin, CA 94568

Daniel A. Silva
6480 Ione Way
Dublin, CA 94568

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on **April 9, 2008** at San Francisco, California.

/s/ Kathy Tat
KATHY TAT
Legal Assistant